Levy of Illegal Rates by the A. E. Company at Belgaum.

*Q.—393 **Sri V. S. PATIL** (Belgaum).—

Will the Government be pleased to state:—

(*a*) whether they are aware that many consumers of electricity at Belgaum had complained against the levy of illegal rates by the A.E.Co. at Belgaum;

(*b*) if so, what steps have been taken by the Government in this respect;

(*c*) whether Government are aware that the Hon'ble High Court of Mysore has decided that the rates levied by the said Company were illegal and has ordered the refund;

(*d*) whether Government have made any attempt to ascertain the amount illegally recovered by the said Company as per the orders of the High Court;

(*e*) what steps Government proposes to take in this matter?

A.—**Sri S. NIJALINGAPPA** (Chief Minister).—

(*a*) A complaint had been made but subsequently withdrawn since a Civil Suit appears to have been filed on the same subject.

(*b*) Does not arise as the complaint had been withdrawn.

(*c*) No.

(*d*) Does not arise.

(*e*) Does not arise as no orders from the Civil Court have been received by Government.

Sri V. S. PATIL.—It is said in answer to (a) that a complaint had been made, but subsequently withdrawn. May I know who has withdrawn this complaint? It appears that the Hon'ble Chief Minister has been given a wrong information. The complaint has not yet been withdrawn, but it is still pending.

† **Sri S. NIJALINGAPPA.**—Well Sir, my information is that the gentleman who has made the complaint has withdrawn it, and he had also filed a writ petition in the High Court and he has withdrawn that also. A Civil suit is pending.

Sri V. S. PATIL.—Is it not a fact that there was a decree in favour of the consumers? Then there was an appeal and the appeal was allowed. So, there was a second appeal in the High Court and the High Court has allowed the contention of the consumers as against the Electric Company and they have asked the Company to refund the excess amount. Is this an information to the Government or whether Government have tried to ascertain whether this matter has been finished or not?

Mr. SPEAKER.—Does the word 'complaint' come under the Criminal Procedure Code?

Sri V. S. PATIL.—It is not a complaint under the Criminal Procedure Code. It is a complaint against the actions of the Government

servants because they were not taking proper steps to safeguard the interests of the consumers.

Sri S. NIJALINGAPPA.—Possibly, it might have been termed a representation instead of a compliaint. Any way I will look into it because my friend has given me lot of information.

Sri V. S. PATIL.—In this case, may I know how many times since 1940 that this Company has increased the rates without the sanction of this Government ?

Sri S. NIJALINGAPPA.—I am not aware. I want notice.

Mr. SPEAKER.—Any way it is fairly outside the scope of the present question.

Sri V. S. PATIL.—May I know whether Government is aware that this private Company cannot increase any rate of electricity without the sanction of the Government ?

Sri S. NIJALINGAPPA.—The report of the concerned officers is that the rates are reasonable.

Sri V. S. PATIL.—No, No, that is not the question.

Mr. SPEAKER.—He has raised a legal technical question whether the Company can raise or reduce the rates naturally with the permission and the sanction of the Government and not otherwise. The Hon member must ask for information.

Sri V. S. PATIL.—I do not know whether this basic fact that they must raise it with the permission of the Government is known to the Government ?

Mr. SPEAKER.—How is it possible to have all the provisions of all the statutes simultaneously ?

Sri V. S. PATIL.—Whan a particular question is asked, the Minister is expected to bring all these things here. May I know, according to the decision of the High Court, the Company even after all the assets of the Company are sold away, the excess amount that is recovered will not be covered and under these circumstances is Government going to take up the Company and conduct it themselves ?

Sri S. NIJALINGAPPA.—That is a suggestion for action.

Sri B. R. SUNTHANKAR.—May I know whether it is not a fact that the consumers of Belgaum have repeatedly requsted the Government to appoint a Rating Committee and the Government have refused the request ?

Sri S. NIJALINGAPPA.—I have received complaints that the rates are very high.

Sri B. R. SUNTHANKAR.—May I know whether the consumers have repeatedly requested the Government to appoint a Rating Committee to fix the rates ?

Sri S. NIJALINGAPPA.—I am not aware of that.

Sri B. R. SUNTHANKAR.—In view of the decision of the Mysore High Court as well as the dicision of the Civil Court of Belgaum that the Company's levies are illegal and unauthorised, may I know whether under such circumstances the Government would be pleased to ascertain the amount illegally recovered by the Company from the consumers ?

Mr. SPEAKER.—If a party or a Company registered in Mysore levies something wrongly and a decree is passed against it, what has the Government to do with it-execution and recovery ?

Sri V. S. PATIL.—I will explain the point of my friend. The rate fixed by the Company-they could not fix the rate without the sanction of the Government.

Mr. SPEAKER.—It is illegal.

Sri V. S. PATIL.—That is now decided. We want to ask the Government whether the Company has recovered with-out your sanction and permission, and that has been decided by the High Court that there was no permission and all the recoveries made are illegal, we want to ask ?

Mr. SPEAKER.—To obtain restitution or refund from the party or from the Company, Does the hon'ble member want to ask the Government ?

Sri V. S. PATIL.—We want to know whether Government is going to take any steps for the illegal levy and illegal recovery made by the Company from the thousands of consumers and if so, what steps they are going to take ?

Mr. SPEAKER.—Now as the member has brought it to the notice of the government they will have to examine.

Sri S. NIJALINGAPPA.—We want to see the judgement, what the argument is and come to a decision. When there is an order of the High Court, I will certainly look into it.

Sri V. S. PATIL.—The consumers have got their own body ; they have resolved that the amount that has to be got refunded may go beyond a Crore and odd-we have calculated that. So, if the Company is not in a position to pay it to the consumers, they want to have a Co-operative Society or a Co-operative concern making this refund amount to be their assets. I want to know whether Government is going to lend some help to the consumers to have a Co-operative concern and take that concern over ?

Mr. SPEAKER.—It is a very good idea.

Sri S. NIJALINGAPPA.—He has put the cart before the Horse. Let them form a Society and we will consider it with sympathy.

Sri B. R. SUNTHANKAR.—Now that for the last so many years the consumers have been requesting the Government to come to their aid to safeguard their interest the Government has turned a deaf year to the request of the consumers .....

Mr. SPEAKER.—When was the High Court decision given ?

Sri V. S. PATIL.—Very recently. Even before we approached the Civil Court or the High Court on writ, etc. we had approached the Government to say that these things have been illegally done by the company and rectified. But the Government turned a deaf year to our request. That is why we had to approach the High Court Sir.

Mr. SPEAKER.—On such a question, opinions could also be given in different ways.

Sri V. S. PATIL.— The local officers who are appointed as inspectors of electricity they are in league with the company; whether that fact has come to the notice of the Government, is the question I ask.

Sri S. NIJALINGAPPA.—I am not aware of the collusion between the Government servants and the company as such. But I want to know when exactly the suit was filed.

Sri K. P. GADAG.—May I know whether it is a fact that the licencee has to levy at the rate recommended by the rating committee appointed by the Board?

Mr. SPEAKER.—These are details which have to be gathered.

Sri S. NIJALINGAPPA.—I want notice of this Question, Sir.

Sri K. P. GADAG.—My point is that there is a rating committee always prescribing the rates that the company has to levy. If there is any default, then this question of illegal levy arises.

Mr. SPEAKER.—I am inclined to agree with the Hon'ble Member. But supplementaries of this type are not very pertinent.

Sri S. NIJALINGAPPA.—If my friend gives me all the facts-it must be a long pending case, because the suit has been filed in the original court and gone in appeal—I think it must have taken more than half-a-dozen years. Let him give me details of the decision of the High Court, I will get it examined and I shall see what relief could be given to the consumers.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಈ ಭಯ ತಪ್ಪಿಸುವುದಕ್ಕೆ ಬೇರೆ ಯಾವುದಾದರೂ ಅಲ್ಲಿ ಅವರಿಗೆ ಎರೆಕ್ಟ್ರಿಸಿಟಿ ಸಪ್ಲೈ ಮಾಡುವುದಕ್ಕೆ ಮಾರ್ಗ ಕಂಡು ಹಿಡಿಯುತ್ತಾ ಇದ್ದೀರಾ?

ಶ್ರೀ ಎಸ್. ನಿಜಲಿಂಗಪ್ಪ.—ಬೆಳಗಾಂಗೆ ಎರೆಕ್ಟ್ರಿಸಿಟಿ ಹೋಗುತ್ತಾ ಇದೆ. ಅದು ಆದರೆ ಈ ಕಷ್ಟ ಪೆರ್ಲಾ ಹೋಗುತ್ತದೆ.

Sri GANJI VEERAPPA.—May I know whether the Government was made a Party to either the Writ petition or the suit filed?

Sri S. NIJALINGAPAA.—No, sir.

Sri B. R. SUNTHANKAR.—I wanted an assurance from the Government. I got it.

Quantity of Medicine supplied to different types of Government Hospitals in the State.

*Q.—550. Sri M. N. KRISHNA SINGH (Jagalur).—

Will the Government be pleased to state :—

(*a*) the quantity of Medicines that is being supplied to different types of Government Hospitals in the State in order to give free medical treatment every year;

(*b*) whether the medicines so supplied are being made use of for purpose of giving free medical treatment to patients?